

11/15/01  
1129 U.S. PTO

Patent  
Attorney's Docket No. 032775-078

11/15/01  
09/987687  
1129 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT  
APPLICATION TRANSMITTAL LETTER

**Box PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed for filing is the utility patent application of Matthew C. Coffey and Bradley G. Thompson for Method for Optimally Delivering Virus to a Solid Tumor Mass.

☐ Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☐ Applicant(s) suggest(s) Figure    for inclusion on the front page of the patent application publication and patent.

Also enclosed are:

☒ Three sheet(s) of drawing(s);

☐ a claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is ☐ hereby made to    filed in    on   ;

☐ in the declaration;

☐ a certified copy of the priority document;

☐ a General Authorization for Petitions for Extensions of Time and Payment of Fees;

☐ an Assignment document;

☐ an Information Disclosure Statement;

☐ a patent application data sheet; and

☒ Other: return receipt postcard

☒ An ☐ executed ☒ unexecuted declaration of the inventor(s)

☒ also is enclosed ☐ will follow.

☐ Please amend the specification by inserting before the first line the sentence --This application claims priority under 35 U.S.C. §§ 119 and/or 365 to    filed in    on   ; the entire content of which is hereby incorporated by reference.--



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--This application is a continuation of International Application No.          filed on         , which International Application [ ] was [ ] was not published by the International Bureau in English on         --.

[x] The filing fee has been calculated as follows [ ] and in accordance with the enclosed preliminary amendment:

C L A I M S					
	No. Of CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$740.00 (101)
Total Claims	21	MINUS 20 =	1	× \$18.00 (103) =	18.00
Independent Claims	1	MINUS 3 =		× \$84.00 (102) =	0.00
If multiple dependent claims are presented, add \$280.00 (104)					
Total Application Fee					
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee \$40.00 (581) if Assignment document is enclosed					
<b>TOTAL APPLICATION FEE DUE</b>					<b>758.00</b>

Please address all correspondence concerning the present application to:

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Ping F. Hwang  
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**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

032775-078

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR OPTIMALLY DELIVERING VIRUS TO A SOLID TUMOR MASS**

the specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as United States application

Number \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_

(if applicable).

☐ was filed as PCT international application

Number \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119:**

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. § 119
			_ Yes _ No
			_ Yes _ No
			_ Yes _ No
			_ Yes _ No
			_ Yes _ No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_ 60/252,221 \_\_\_\_\_  
(Application Number)

\_\_\_\_\_ November 20, 2000 \_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)**  
(Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.  
032775-078

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS			STATUS ( <i>check one</i> )		
U.S. APPLICATION NUMBER	U.S. FILING DATE		PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NUMBERS ASSIGNED (if any)			

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)**  
(Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.  
032775-078

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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